

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:24-00047

IJAZ OLIVER

MEMORANDUM OPINION AND ORDER

Pending before the court is the motion of defendant Ijaz Oliver for a continuance of trial and all case related action in this action. (ECF No. 23) In support of defendant's motion, counsel for defendant explains that in order to effectively and adequately represent the defendant, counsel needs additional time to review and evaluate the discovery materials, conduct appropriate investigation, consult with the defendant regarding the same, and give due consideration to pretrial motions, potential plea negotiations, and other case strategy. The government does not oppose defendant's motion.

Because failure to grant the requested continuance would likely result in a miscarriage of justice, the court finds that the ends of justice outweigh the interest of the defendant and the public in a speedy trial, see 18 U.S.C. § 3161(h)(7)(A), and **GRANTS** defendant's motion to continue. In deciding to grant defendant's motion, the court considered the factors outlined in 18 U.S.C. § 3161(h)(7)(B) and finds that denying the motion "would deny counsel for the defendant . . . the reasonable time

necessary for effective preparation, taking into account the exercise of due diligence.” Id. § 3161(h)(7)(B)(iv).


Accordingly, the court hereby **ORDERS** as follows:

1. The deadline for the filing of pretrial motions is continued to September 5, 2024;
2. The Pretrial Motions Hearing is continued to September 17, 2024, at 2:00 p.m. in Charleston;
3. Jury Instructions and Proposed Voir Dire are due by October 9, 2024;
4. Trial of this action is continued to October 16, 2024, at 9:30 a.m. in Charleston; and
5. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the time from the filing of the motion until the trial is excludable for purposes of the Speedy Trial Act.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to all counsel of record, to the United States Marshal for the Southern District of West Virginia, and to the Probation Office of this court.

IT IS SO ORDERED this 31st day of July, 2024.

ENTER:



David A. Faber
Senior United States District Judge